

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

GREAT WEST CASUALTY CO.,

Plaintiff,

v.

**WAYNE FLANDRICH DBA J&W
TRANSPORT, et al.**

Defendants.

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Case No. 2:07-CV-1002

**JUDGE ALGENON L. MARBLEY
Magistrate Judge Abel**

ORDER

This matter comes before the Court on Third Party Defendants OOIDA Risk Retention Group, Inc.'s, Commercial Truck Claims Management's, and Owner-Operator Services, Inc.'s (collectively referred to as "OOIDA") Motion for Summary Judgment on Defendant/Third Party Plaintiff Wayne Flandrich dba J&W Transport's ("J&W Transport") Bad Faith Claim (doc. no. 51). OOIDA's Motion was filed on December 29, 2008. Pursuant to this Court's Preliminary Pretrial Order (doc. no. 16), the deadline for filing case-dispositive motions was September 19, 2008. Therefore, OOIDA's Motion was filed 101 days after the deadline for dispositive motions. For the foregoing reason, OOIDA's Motion for Summary Judgment on J&W Transport's Bad Faith Claim is therefore **DENIED**. This Order is without any disposition as to the underlying issues raised by OOIDA's Motion.

IT IS SO ORDERED.

s/Algenon L. Marbley
ALGENON L. MARBLEY
UNITED STATES DISTRICT COURT

Dated: January 7, 2009